



1fr
3748

[10191/3709]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Hermann GAESSLER et al.
Serial No. : 10/547,190
Filed : May 4, 2006
For : METHOD FOR OPERATING AN HYDRAULIC
ACTUATOR, IN PARTICULAR A GAS-EXCHANGE
VALVE OF AN INTERNAL COMBUSTION ENGINE
Examiner : Kyle M Riddle
Art Unit : 3748
Confirmation No. : 9174

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the
United States Postal Service with sufficient postage as first class mail
in an envelope addressed to:

Mail Stop AMENDMENT
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
on

Date: 2/29/2008

Signature:

AARON C. DEDITCH

TRANSMITTAL (33,865)

SIR:

Transmitted herewith for filing in the above-identified patent application is a *Quayle Amendment*.

While no fees are believed to be due, the Commissioner is authorized, as appropriate and/or necessary, to charge any fees (including any Rule 136(a) extension fees) or credit any overpayment to Deposit Account No. 11-0600. A duplicate copy of this transmittal letter is enclosed for that purpose.

Respectfully submitted,

KENYON & KENYON LLP

By: Gerard A. Messina

Gerard A. Messina
Reg. No. 35,952

One Broadway
New York, NY 10004
(212) 425-7200

CUSTOMER NO.: 26646

Dated: 2/29/2008

33,865
Aaron C
DEDITCH



[10191/3709]

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Hermann GAESSLER et al.

Serial No. : 10/547,190

Filed : May 4, 2006

For : METHOD FOR OPERATING AN HYDRAULIC
ACTUATOR, IN PARTICULAR A GAS-EXCHANGE
VALVE OF AN INTERNAL COMBUSTION ENGINE

Examiner : Kyle M Riddle

Art Unit : 3748

Confirmation No. : 9174

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the
United States Postal Service with sufficient postage as first class mail
in an envelope addressed to:
Mail Stop AMENDMENT
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
on

Date: 2/29/2008

Signature: [Signature]

AARON C. DEDITCH
(33,865)

Quayle RESPONSE/COMMUNICATION

S I R:

In response to the Quayle Office Action mailed on January 9, 2008, the two-month response date for which was March 9, 2008, in which the Examiner has stated that the application is in condition for the declaration since it includes the phrase "material to examination" instead of "material to patentability", and that prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11 (453 O.G. 213), the following is submitted. Please reconsider the above-identified application based on the following:

Remarks begin on page 2 of this paper.